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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/500,897	02/09/2000	Shunpei Yamazaki	SEL 161	3195

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04/07/2005

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EXAMINER

MISLEH, JUSTIN P

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/500,897

Applicant(s)

YAMAZAKI ET AL.

Examiner

Justin P Misleh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to Claims 1 – 16 have been considered but are moot in view of the new grounds of rejection.
2. In view of Applicant's previous amendments (28 November 2003 and 26 April 2004), there are no further objections to the specification and the drawings.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1 – 16** are rejected under 35 U.S.C. 102(e) as being anticipated by Takahara (US 6 219 113 B1).

5. For **Claim 1**, Takahara discloses, as shown in figures 2a, 2b, 11, 12, 64 – 69, 96 – 105, and 218 – 225 and as stated in columns 3 (lines 33 – 41), 4 (lines 1 – 14), 54 – 57, 122, and 124, a view finder (see figures 218 – 225) comprising:

a substrate (11 and 12 from figures 2a and 2b and 642 from figure 66a);

an LCD display element (21 and 22 from figures 2a and 2b) formed on the substrate (11 and 12 from figures 2a and 2b and 642 from figure 66a); and

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a lens (microlens 641) formed on the LCD display element (21 and 22 from figures 2a and 2b), wherein the lens (microlens 641) has a spherical surface to which the LCD display element emits a light (see figures 65, 66a, 97, 102, and 111).

While Takahara discloses the viewfinder (see figures 218 – 225) with an LCD display panel (22), Takahara also discloses, as stated in columns 23 (lines 23 – 33), 30 (lines 51 – 65), 58 (lines 37 – 42), 100 (lines 44 – 58), 126 (line 60) – 127 (line 4), and 130 (lines 17 – 34), that the LCD display may be replaced by an organic EL display element.

6. For **Claim 5**, Takahara discloses, as shown in figures 2a, 2b, 11, 12, 64 – 69, 96 – 105, and 218 – 225 and as stated in columns 3 (lines 33 – 41), 4 (lines 1 – 14), 54 – 57, 122, and 124, a view finder (see figures 218 – 225) comprising:

a substrate (11 and 12 from figures 2a and 2b and 642 from figure 66a);

an LCD display element (21 and 22 from figures 2a and 2b) formed on the substrate (11 and 12 from figures 2a and 2b and 642 from figure 66a); and

a lens (microlens 641) formed on the LCD display element (21 and 22 from figures 2a and 2b), wherein the lens (microlens 641) has a spherical surface to which the LCD display element emits a light (see figures 65, 66a, 97, 102, and 111), and

wherein the lens (microlens 641) magnifies an image of an object displayed on the LCD display element (see below for explanation).

While Takahara discloses the viewfinder (see figures 218 – 225) with an LCD display panel (22), Takahara also discloses, as stated in columns 23 (lines 23 – 33), 30 (lines 51 – 65), 58 (lines 37 – 42), 100 (lines 44 – 58), 126 (line 60) – 127 (line 4), and 130 (lines 17 – 34), that the LCD display may be replaced by an organic EL display element.

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Furthermore, as stated in column 56 (lines 6 – 35), Takahara discloses adjusting focal distance of the microlens (641) according to various manufacturing techniques. The focal distance of the microlens (641) establishes the display area of the display – the shorter the focal distance, the larger the display area. The magnification factor of the image of an object can be found by dividing the actual focal distance of the microlens (641) by a focal distance of a standard microlens.

7. For **Claim 9**, Takahara discloses, as shown in figures 2a, 2b, 11, 12, 64 – 69, 96 – 105, and 218 – 225 and as stated in columns 3 (lines 33 – 41), 4 (lines 1 – 14), 54 – 57, 122, and 124, a view finder (see figures 218 – 225) comprising:

a substrate (11 and 12 from figures 2a and 2b and 642 from figure 66a);

an LCD display element (21 and 22 from figures 2a and 2b) formed on the substrate (11 and 12 from figures 2a and 2b and 642 from figure 66a); and

a lens (microlens 641) formed on the LCD display element (21 and 22 from figures 2a and 2b), wherein the lens (microlens 641) has a spherical surface to which the LCD display element emits a light (see figures 65, 66a, 97, 102, and 111), and

wherein the lens (microlens 641) magnifies an image of an object displayed on the LCD display element (see below for explanation) and projects it upon an of a user (see column 123, lines 1 – 16).

While Takahara discloses the viewfinder (see figures 218 – 225) with an LCD display panel (22), Takahara also discloses, as stated in columns 23 (lines 23 – 33), 30 (lines 51 – 65), 58 (lines 37 – 42), 100 (lines 44 – 58), 126 (line 60) – 127 (line 4), and 130 (lines 17 – 34), that the LCD display may be replaced by an organic EL display element.

Furthermore, as stated in column 56 (lines 6 – 35), Takahara discloses adjusting focal distance of the microlens (641) according to various manufacturing techniques. The focal distance of the microlens (641) establishes the display area of the display – the shorter the focal distance, the larger the display area. The magnification factor of the image of an object can be found by dividing the actual focal distance of the microlens (641) by a focal distance of a standard microlens.

8. For **Claim 13**, Takahara discloses, as shown in figures 2a, 2b, 11, 12, 64 – 69, 96 – 105, and 218 – 225 and as stated in columns 3 (lines 33 – 41), 4 (lines 1 – 14), 54 – 57, 122, and 124, a view finder (see figures 218 – 225) comprising:

a substrate (11 and 12 from figures 2a and 2b and 642 from figure 66a);

an LCD display element (21 and 22 from figures 2a and 2b) formed on the substrate (11 and 12 from figures 2a and 2b and 642 from figure 66a); and

a lens (microlens 641) formed on the LCD display element (21 and 22 from figures 2a and 2b), wherein the lens (microlens 641) has a spherical surface to which the LCD display element emits a light (see figures 65, 66a, 97, 102, and 111).

While Takahara discloses the viewfinder (see figures 218 – 225) with an LCD display panel (22), Takahara also discloses, as stated in columns 23 (lines 23 – 33), 30 (lines 51 – 65), 58 (lines 37 – 42), 100 (lines 44 – 58), 126 (line 60) – 127 (line 4), and 130 (lines 17 – 34), that the LCD display may be replaced by an inorganic EL display element.

9. As for **Claims 2, 6, 10, and 14**, Takahara discloses, as shown in figures 45 wherein said organic EL display element comprises plural thin film transistors ($T_{11} - T_{33}$) formed over the substrate (11 and 12 from figures 2a and 2b and 642 from figure 66a).

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10. As for **Claims 3, 7, 11, and 15**, Takahara discloses, as shown in figures 54, 55, 119, and 124, wherein said organic EL display element comprises a pixel portion ($T_{11} - T_{33}$) and a driver circuit (491 and 492) formed over the substrate (11 and 12 from figures 2a and 2b and 642 from figure 66a).

11. As for **Claims 4, 7, 12, and 16**, Takahara discloses, as stated in column 122 (lines 37 – 43), said viewfinder is incorporated into a camera selected from the group consisting of a video camera and a digital camera.

Conclusion

12. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 571.272.7313. The

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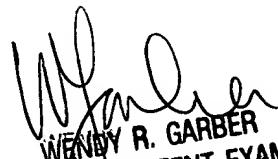
Examiner can normally be reached on Monday through Thursday from 7:30 AM to 5:00 PM and on alternating Fridays from 8:00 AM to 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Wendy R Garber can be reached on 703.305.4929. The fax phone number for the organization where this application or proceeding is assigned is 703.872.9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM

March 25, 2005


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
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